



PTO/SB/26 (08-03)

Approved for use through 07/31/2008. OMB 0651-0031

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**TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**
Docket Number (Optional)
020.0342.US.CON

In re Application of: Bardy

Application No.: 10/646,038

Filed: 8/22/2003

For: System And Method For Diagnosing And Monitoring Outcomes Of Atrial Fibrillation For Automated Remote Patient Care

The owner*, Cardiac Intelligence Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,411,840. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record.

June 11, 2004

Date

Signature

Patrick J.S. Inouye
Typed or printed name(206) 381-3900
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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PTO/SB/17 (10-03)
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$110.00)

Complete if Known	
Application Number	10/646,038
Filing Date	August 22, 2003
First Named Inventor	Barry
Examiner Name	George C. Manuel
Art Unit	3762
Attorney Docket No.	020.0342.US.CON

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																																			
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account Deposit Account Number 503031 Deposit Account Name Law Offices of Patrick J.S. Inouye The Director is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> </tr> <tr> <td>1051 770</td> <td>2001 385</td> <td>1051 65</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1002 340</td> <td>2002 170</td> <td>1052 25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1003 530</td> <td>2003 265</td> <td>1053 130</td> <td>Non-English specification</td> </tr> <tr> <td>1004 770</td> <td>2004 386</td> <td>1812 2,520</td> <td>For filing a request for ex parte reexamination</td> </tr> <tr> <td>1005 160</td> <td>2005 80</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td></td> <td></td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td></td> <td></td> <td>1251 110</td> <td>Extension for reply within first month</td> </tr> <tr> <td></td> <td></td> <td>1252 420</td> <td>Extension for reply within second month</td> </tr> <tr> <td></td> <td></td> <td>1253 950</td> <td>Extension for reply within third month</td> </tr> <tr> <td></td> <td></td> <td>1254 1,480</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td></td> <td></td> <td>1255 2,010</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td></td> <td></td> <td>1401 330</td> <td>Notice of Appeal</td> </tr> <tr> <td></td> <td></td> <td>1402 330</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td></td> <td></td> <td>1403 290</td> <td>Request for oral hearing</td> </tr> <tr> <td></td> <td></td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td></td> <td></td> <td>1452 110</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td></td> <td></td> <td>1453 1,330</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td></td> <td></td> <td>1501 1,330</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td></td> <td></td> <td>1502 480</td> <td>Design issue fee</td> </tr> <tr> <td></td> <td></td> <td>1503 640</td> <td>Plant issue fee</td> </tr> <tr> <td></td> <td></td> <td>1460 130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td></td> <td></td> <td>1807 50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td></td> <td></td> <td>1806 180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td></td> <td></td> <td>2021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td></td> <td></td> <td>1809 770</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> </tr> <tr> <td></td> <td></td> <td>1810 770</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> </tr> <tr> <td></td> <td></td> <td>1801 770</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td></td> <td></td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="4">SUBTOTAL (1) (\$)</td> <td colspan="4">110</td> </tr> <tr> <th colspan="4">2. 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SUBMITTED BY						Complete if applicable	
Name (Print/Type)	Patrick J.S. Inouye	Registration No. Attorney/Agent	40297	Telephone	(206) 381-3900		
Signature				Date	June 11, 2004		

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